

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

**PAUL HARRIS
ADC #154185**

PLAINTIFF

v.

Case No. 4:16-cv-00339-KGB

BRYAN CHESSHIR, Prosecuting Attorney, et al.

DEFENDANTS

ORDER

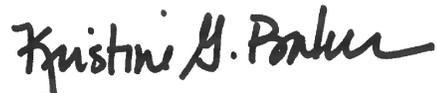
Plaintiff Paul Harris is currently an inmate in the Arkansas Department of Correction Grimes Unit. Mr. Harris filed his complaint pursuant to 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis* (Dkt. Nos. 1, 2). Pursuant to 28 U.S.C. § 1915A(a), this Court has the obligation to screen, as soon as practicable, any complaint in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. According to the allegations of Mr. Harris's complaint, defendants Mickey Buchanan and Bryan Chesshir violated Mr. Harris's constitutional rights by failing to give him an evidentiary hearing and by making him take a plea against his will (Dkt. No. 1). Mr. Harris also named Erin Hunter as a defendant. According to Mr. Harris, Mr. Chesshir and Ms. Hunter are prosecuting attorneys in Little River County and Mr. Buchanan is a public defender in the same county.

It appears from the facts that venue is not proper in this district. In a § 1983 cases, venue is determined by reference to the general venue statute, 28 U.S.C. § 1391. Under § 1391(b) venue is proper in civil rights actions in: (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. Little River County is located

within the Western District of Arkansas. The alleged constitutional actions and decisions challenged by Mr. Harris occurred in Little River County. Under 28 U.S.C. § 1406(a), this Court may transfer this case to any district or division in which it could have been brought. Accordingly, the Court finds that the interests of justice would best be served by transferring this case to the United States District Court for the Western District of Arkansas.

It is therefore ordered that the Clerk of the Court is directed to transfer immediately Mr. Harris's entire case file to the United States District Court for the Western District of Arkansas.

It is so ordered this 5th day of December, 2016.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE